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C O N F I D E N T I A L SECTION 01 OF 04 COLOMBO 000340

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TAGS: [PGOV](#) [PTER](#) [CE](#)
SUBJECT: SRI LANKAN GOVERNMENT DELEGATION MEMBERS '
PERSPECTIVES ON CEASEFIRE TALKS WITH LTTE

REF: A. COLOMBO 308

[1](#)B. GENEVA 395

Classified By: AMB. JEFFREY J. LUNSTEAD. REASON: 1.4 (B,D).

SUMMARY

[1](#)1. (C) In separate conversations March 2, Government of Sri Lanka (GSL) delegation members John Gooneratne and Nivard Cabraal told emboffs they were generally pleased with the outcome of the February 22-23 talks with the Liberation Tigers of Tamil Eelam (LTTE) in Geneva. Both said they foresee no problem with the GSL upholding its commitment to restrain any "armed group or person" from operating in government-controlled territory and attempted to downplay other GSL delegates' efforts to portray the joint statement as an "amendment" to the Ceasefire Agreement. They believe future discussions with the LTTE in the near term will continue to be limited to the ceasefire. Both interlocutors said that LTTE delegation leader Anton Balasingham appeared to be in poor health. End summary.

GSL SEES GAINS IN GENEVA

[1](#)2. (C) In separate discussions March 2, Government of Sri Lanka (GSL) delegation members John Gooneratne, Secretary General of the Peace Secretariat, and Nivard Cabraal, Secretary of the Plan Implementation Ministry and Advisor to

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the President on Economic Affairs, told emboffs they viewed the February 22-23 talks with the Liberation Tigers of Tamil Eelam (LTTE) in Geneva--the first in almost three years--as generally successful. "We would have been happy with much less," Cabraal commented frankly. "For the first round, it

was much better than we expected."

¶3. (C) Both Gooneratne and Cabraal credited the intensive preparations undertaken by the GSL delegation before the talks--including training sessions provided by the Harvard Negotiation Project--with the positive outcome. "We had done our homework," Gooneratne commented to DCM, noting that the GSL team included defense and legal experts who could rebut many LTTE claims at the talks. In fact, the GSL team had been so well prepared, both delegates reported, that the LTTE seemed a bit intimidated. "They found our team a little formidable," Cabraal chuckled, asserting that the reams of documentation and number of GSL representatives in the room made LTTE chief negotiator Anton Balasingham nervous. "They were a little taken aback," Gooneratne said, adding that Balasingham complained to the Norwegian facilitators that he was the only one who could speak English--and thus had to do all the talking--on the LTTE side.

¶4. (C) Gooneratne said there was generally "a good working-level atmosphere" at the table. He described affable Health Minister Nimal Siripala de Silva as a good choice for GSL delegation leader because of his friendly, open manner. Cabraal told emboffs that the first day, when the two delegations were still sizing each other up, was "a bit frosty," because "strong positions," especially from the GSL side, "were laid down first." The GSL made "a conscious decision" to come out swinging in its opening statement, Cabraal said, accusing the LTTE of numerous violations of the Ceasefire Agreement, such as the assassination of the late Foreign Minister Lakshman Kadirgamar and the recruitment of children. "The LTTE probably had not ever been confronted with tough positions" in previous negotiations, Cabraal remarked, but he believes the Tigers "appreciated" knowing up front the GSL line.

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¶5. (C) After a rigorous first day, the climate improved markedly the second day, according to both interlocutors. The Tigers tried to bring up the contentious issue of the High Security Zones (HSZs), Gooneratne said, "but we pushed (the topic) off to the second meeting." Cabraal described Balasingham's tone as "rather subdued" on the second day. Balasingham clearly "wanted something to take back" from Geneva to LTTE leader Prabhakaran, Cabraal commented, and thus showed some flexibility in formulating a joint statement. For example, despite initial opposition, the Tigers agreed to allow mention of child recruitment in the joint statement--a point that the Norwegian facilitators themselves pushed hard to include, Cabraal said.

GSL SEES NO PROBLEMS KEEPING COMMITMENTS

¶6. (C) The GSL pushed back hard against Tiger efforts to include mention of "paramilitaries" and/or Section 1.8 of the Ceasefire Agreement in the joint statement, Cabraal and Gooneratne each reported. Instead, the formulation adopted in the final statement (that the GSL will take "all necessary measures . . . to ensure that no armed group or person other than Government security forces will carry arms or conduct armed operations") describes "the minimum undertaking" to uphold law and order that is the responsibility of any government, Gooneratne said. The GSL maintained that the Karuna faction is not a paramilitary and reminded the LTTE that at the time of Karuna's split from the LTTE in March 2004, the LTTE had told the GSL not to interfere in what it described as an internal Tiger matter, Gooneratne reported. "We told them now that you (the Tigers) are feeling pressure from Karuna, don't try to put it on us" to control him. Cabraal, noting that the Karuna faction does not function as one cohesive unit, said that when the GSL team told their Tiger counterparts that they did not "control" Karuna, the LTTE ultimately accepted that. Gooneratne described the LTTE

as "realistic in bargaining" on the language of the final statement, adding the Tigers in general are "better defined in what they want."

17. (C) When asked what practical difference the GSL commitment would make on the ground if the GSL cannot and does not control Karuna, Cabraal replied that the government would now make a more sustained effort to inhibit the movement of armed groups and people--without speaking to their identity or affiliation. "I don't know whether in the past we've been eager to stop people from carrying arms," he said. Gooneratne suggested that the GSL might be "more thorough in our examinations" of people, although he acknowledged "we won't get 100 percent compliance." The Karuna faction is unlikely to have the same commitment to the peace process--and the same desire to see it succeed--as the GSL, he conceded. That said, while the GSL could not commit to stopping all acts of violence, it could commit to trying to check whether people are carrying arms in territory under government control. "We were comfortable with the way the statement was worded," Gooneratne concluded.

NOT AN "AMENDMENT" PER SE

18. (C) The two delegation members each attempted to distance themselves from statements made by fellow delegation member and President's Counsel H.L. de Silva, after arriving in Colombo, that the commitments in the joint statement amount to an amendment to the Ceasefire Agreement (Ref A). Cabraal said that he views the joint statement as just that--a

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statement, although other people, depending on individual points of view, might describe it as an amendment or an addendum or an elaboration, etc. Gooneratne said descriptions of the joint statement had become "a convoluted thing" that was "tied up in politics" because the Janatha Vimukthi Peramuna (JVP) and Jathika Hela Urumaya (JHU), the President's political allies, harbor certain extremist views. The best definition of the GSL position, he asserted, lay in delegation leader and Health Minister de Silva's opening statement: that the Ceasefire Agreement was unconstitutional but is nonetheless accepted by the government on "a de facto basis."

ROAD AHEAD

19. (C) Both Gooneratne and Cabraal said they expect the next round of talks to continue to focus on implementation of the ceasefire. Cabraal said the GSL at present had no immediate strategy for moving past discussion of the ceasefire to a longer-term solution. The LTTE has shown no interest in discussing a long-term political solution, Gooneratne commented, which, in his view, raises doubts about their ultimate goals. "The LTTE always flinches from discussing anything political," he continued. The GSL team tried to get the Tigers to agree to set up a political committee to discuss the larger elements of a permanent political solution, "but they avoided it. They're not focused on a political solution now. . . . They came prepared to talk on one issue" only--controlling the Karuna faction. For the first time, the LTTE may be feeling a "a bit of a military crunch" because of Karuna activities in the east, Gooneratne mused. As long as that is the case, the Tigers are unlikely to want to talk about long-term solutions. Cabraal voiced similar suspicion of LTTE motives in coming to the table in Geneva, speculating the Tigers wanted to "paint a new picture of themselves for the international community" after failing to paint President Mahinda Rajapaksa as a Sinhalese nationalist.

¶10. (C) Setting up the agenda for the second round of talks will be a complicated process, Gooneratne predicted. While the Tigers may want to talk about HSZs, for example, the GSL will want to raise topics such as human rights, economic development and political activities by non-LTTE Tamil parties. There is "a strong view" at present in the GSL, Gooneratne commented, that if the Ceasefire Agreement (CFA) allows the LTTE to pursue political activities in GSL-controlled areas, then reciprocal rights should be given to non-LTTE political parties in Tiger-controlled territories (although that is not specifically called for in the CFA). In addition, the definition of "political activities" under the CFA must be clarified, Gooneratne said. Whether or not the LTTE allows campaigning and voting in local government elections, now scheduled for March 30, to proceed in the north and east will be the next important test of Tiger intentions, he remarked. Cabraal said he does not expect the GSL to undertake any bold unilateral confidence-building measures (e.g., turning back some of the HSZs) between now and the next round. Each time the GSL had done so in the past, the Tigers used the concession to attack the military, he complained. Before doing so again, the GSL would have to see greater evidence of "good faith" on the part of the Tigers.

¶11. (C) The Sri Lanka Monitoring Mission (SLMM) will play a crucial role in the second round, both interlocutors confirmed, when the Nordic-sponsored truce monitoring organization will be expected to present a "report card" on both parties' implementation of their respective commitments

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in the joint statement. Gooneratne said he welcomed the Swedes' offer to take over responsibility for the SLMM from the Norwegians (Ref A). The GSL had long felt the Norwegian-led SLMM was "not strong enough" in calling the LTTE on its numerous ceasefire violations, and had been trying for over six months to get someone else to head the mission. In the end, the LTTE proved easier to convince than the Norwegians that it was time for a leadership change, he reflected. (Comment: The Norwegians obviously don't agree with this interpretation, and have told us that it was in fact the GSL which originally insisted that Norway should lead the SLMM. End comment.)

¶12. (C) Gooneratne and Cabraal both reported that there was general agreement on the April 19-21 dates for the second round of talks. The GSL delegation, faced with local elections on March 30, followed closely by the extended New Year holiday season the second week of April, did not want the next round much earlier, they explained. Both interlocutors expect the composition of the GSL team to remain more or less the same.

GSL IMPRESSIONS:
BALASINGHAM MORE INFIRM

¶13. (C) Both Cabraal and Gooneratne said Balasingham showed obvious signs of declining health. Gooneratne, who had met Balasingham in previous rounds of talks, said that the LTTE's chief negotiator seemed weaker and more infirm than ever. He could not speak for as long as he was able to three years ago, Gooneratne said, and his voice was "shakier." By lunch time each day, the veteran Tiger negotiator was visibly fatigued, he reported. Adele Balasingham, who attended both days, did not speak at any time, Gooneratne noted, adding that her principal function seemed to be note-taking.

COMMENT

¶14. (C) Both GSL interlocutors seemed relieved--if not a

little surprised--at what they obviously view as a positive outcome from the Rajapaksa government's first foray into negotiations with the Tigers. Neither seemed especially worried--at least not yet--about what to say at the next round or how to deliver on the commitments made at this first meeting. The GSL's confidence in its ability to deliver, along with our interlocutors' acknowledgment of GSL laxity in "examining" certain people for arms, suggest that the GSL may exert greater influence over the Karuna faction and others than it is willing to admit publicly. So far, the drastically reduced level of violence shows that both sides are willing and able, at least for now, to give peace a chance. Whether this effort can be sustained for two months--and through a habitually volatile local election season--is less certain. If our interlocutors are correct, international pressure played a key role in convincing the Tigers to return to the table. The U.S., with other co-chairs, should continue to urge both parties to maintain their commitments to preserve the peace.

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